

Chevrolet Tahoe vehicles that have CHMSLs that were inadvertently wired in a manner which permits the CHMSLs to momentarily flash under certain conditions while the driver is in the process of activating or deactivating the hazard flashers. As a result, they do not meet the requirement stated in Paragraph S5.5.10(d) that they be "wired to be steady-burning." While GM designed the subject vehicles to meet this requirement, it subsequently discovered a transient contact condition inside the multi-function (brake lamp, CHMSL, turn signal, and hazard flasher) switch which occasionally causes the CHMSL to flash while the driver is in the process of turning the hazard flasher switch "on" or "off." The error was corrected in production in March 1995 by adding a brake lamp relay to the I/P harness to provide isolation from the multi-function switch transient.

GM supports its application for inconsequential noncompliance with the following:

The CHMSL preforms properly at all times when the service brakes are applied. The transient condition will not occur if the service brakes are applied when the driver activates or deactivates the hazard flasher switch. Therefore, the CHMSL will not flash when it is required to be steady-burning. The CHMSL will not flash if the ignition switch is in the "off" position. Thus, the condition will not occur if the hazard flashers are turned "off" or "on" when the ignition is off and the vehicle is parked at the side of the road, for example.

If the CHMSL flashes at all, it will illuminate a maximum of three times during the transient condition, with each pulse lasting 0.5 [millisecond (ms)] to 4.0 ms. The entire unintended event, in its worst case, lasts no more than 125.8 ms. This extremely short duration is likely to go entirely unnoticed by following drivers in many instances. In the event that it is noticed, it is not likely to be confused with anything other than the hazard flashers. Since the flashers will be activated while the unintended condition occurs, but the brake lamps will not be, this will not present a safety risk.

The CHMSL otherwise meets all of the requirements of FMVSS 108.

In a 1989 interpretation, NHTSA discussed the difference between the requirements that stop lamps be steady-burning and hazard warning lights flash. NHTSA explained:

Standard No. 108 requires stop lamps to be steady-burning, and hazard warning signal lamps to flash (generally through the turn signal lamps). The primary reason for the distinction is that the stop lamps are intended to be operated while the vehicle is in motion, while hazard warning lamps are intended to indicate that the vehicle is stopped. Each lamp is intended to convey a single, easily recognizable signal. If a lamp which is ordinarily steady burning begins to flash, the agency is concerned that the signal will prove confusing to motorists, thereby diluting the effectiveness.

August 8, 1989 letter from S.P. Wood, Acting Chief Counsel, NHTSA, to L.P. Egley

While this condition technically causes a lamp which is ordinarily steady burning to begin to flash, it will not likely "prove confusing to motorists, thereby diluting its effectiveness," because it will not occur if the service brakes are applied. Even if the condition were mistaken for a brake signal (which is doubtful since CHMSLs do not flash with brake lamp activation), the following driver would not likely react to it. According to recent research studies conducted by GM, as well as field data, it takes a following driver at least 0.5 seconds to react to a signal and apply the service brakes once [a] preceding vehicle's brake lamps are activated. Given the extremely short duration of the transient CHMSL condition, the misinterpreted signal would be gone long before the following driver could respond.

Hazard flashers are not frequently used. Thus, the exposure of following drivers to the noncompliant condition would be very limited. This is particularly true because of the transient nature of the condition, its short duration, and the fact that it will not occur at all if the service brakes are applied or the vehicle's ignition is off.

GM is not aware of any accidents, injuries, owner complaints, or field reports related to this condition.

Interested persons are invited to submit written data, views, and arguments on the application of GM described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, SW., Washington, D.C., 20590. It is requested but not required that six copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: August 25, 1995.

(15 U.S.C. 1417; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: July 21, 1995.

**Barry Felrice,**

*Associate Administrator for Safety Performance Standards.*

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## DEPARTMENT OF THE TREASURY

### Customs Service

#### Privacy Act of 1974: Altered System of Records

**AGENCY:** Customs Service, Treasury.

**ACTION:** Notice of altered system of records.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the United States Customs Service gives notice of an altered Privacy Act system of records, Internal Security Records System—Treasury/Customs .127. The title, as amended, will be Internal Affairs Record System—Treasury/Customs .127.

**DATES:** Comments must be received no later than August 25, 1995. The altered system of records will be effective September 5, 1995, unless comments are received which would result in a contrary determination.

**ADDRESSES:** Comments should be sent to the Disclosure Law Branch, Office of Regulations and Rulings, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229. Comments will be made available at the Office of Regulations and Rulings, U.S. Customs Service, Franklin Court, 1099 14th Street, NW., Suite 4000, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Kathryn C. Peterson, Chief, Disclosure Law Branch, Office of Regulations and Rulings, (202) 482-6970.

**SUPPLEMENTARY INFORMATION:** This report is to give notice of an altered U.S. Customs Service system of records entitled "Internal Security Records System—Treasury/Customs .127" which is subject to the Privacy Act of 1974, 5 U.S.C. 552a.

The Customs Service is amending its present system of records covering personnel and administrative records for the following reasons:

1. To more fully describe, by the addition of photographic images, the records about the individual in the system,

2. To show additional categories of individuals covered by the system.

The altered system of records report, as required by 5 U.S.C. 552a(r) of the Privacy Act, has been submitted to the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Office of Management and Budget, pursuant to Appendix I to OMB Circular A-130, Federal Agency Responsibilities

for Maintaining Records About Individuals, dated July 15, 1994.

The proposed altered system of records, Treasury/Customs .127 Internal Affairs Records System is published in its entirety below.

Dated: July 18, 1995.

**Alex Rodriguez,**

*Deputy Assistant Secretary Administration.*

#### **Treasury/Customs .127**

##### **SYSTEM NAME:**

**INTERNAL AFFAIRS RECORDS SYSTEM—  
TREASURY/CUSTOMS.**

##### **SYSTEM LOCATION:**

Security Programs Division, Office of Internal Affairs, 1301 Constitution Avenue NW., Washington, DC 20229-0004. —

##### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Present and past employees; contractor applicants/employees; and applicants for positions that require an investigation; and others that are principals or non-principals in an investigation or integrity issue.

##### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Background investigations, integrity investigations, and photographic images.

##### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301; Treasury Department Order Number 165, revised, as amended.

##### **PURPOSE(S):**

To maintain all records on applicants, employees, contractors, and contractor applicants relating to investigations conducted by Internal Affairs, and to support personnel and administrative programs of the Customs Service.

##### **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

These records and information in the records may be used to: (1) Disclose pertinent information to appropriate Federal, State, local, or foreign agencies responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation; (2) disclose information to a Federal, State, or local agency, maintaining civil, criminal or other relevant enforcement information or other pertinent information, which has requested information relevant to or necessary to the requesting agency's or

the bureau's hiring or retention of an individual, or issuance of a security clearance, license, contract, grant or other benefit; (3) disclose information to a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations, in response to a subpoena, or in connection with criminal law proceedings; (4) provide information to a congressional office in response to an inquiry made at the request of the individual to whom the record pertains; (5) provide information to the news media in accordance with guidelines contained in 28 CFR 50.2, which relate to an agency's functions relating to civil and criminal proceedings; (6) provide information to third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation.

##### **POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

###### **STORAGE:**

Investigative records are maintained in computers, as well as in file folders, in metal security cabinets secured by government approved three-position combination locks, and in a mobile filing system within a secured area that is alarmed with motion detectors.

###### **RETRIEVABILITY:**

These records are indexed by name and/or numerical identifier in a manual filing system and/or computerized system.

###### **SAFEGUARDS:**

In addition to being stored in secured metal containers with government approved combination locks, mobile filing system, etc., the containers are located in a locked, alarmed room, the keys of which are controlled and issued to the custodians of the files. The security specialists and administrative personnel who maintain the files are selected for their experience and afforded access only after having been cleared by a full-field background investigation and granted appropriate security clearances for critical sensitive positions. Those departmental officials who may occasionally be granted access consistent with their positions to employ and concur in the granting of security clearances have also been investigated prior to filling critical-sensitive positions.

###### **RETENTION AND DISPOSAL:**

The file records are maintained as long as the subject of the investigation

is employed by the U.S. Customs Service and then for 1 year after the subject terminates employment. The files are then transferred to the Federal Records Center for retention. After transfer, records are retained by the Federal Records Center for the following period of time and then destroyed: Background Investigations—15 years; Conduct and Special Inquiry Investigations—25 years.

##### **SYSTEM MANAGER(S) AND ADDRESS:**

Director, Security Programs Division, Office of Internal Affairs, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, DC 20229-0004.

##### **NOTIFICATION PROCEDURE:**

See Customs Appendix A (57 FR 14007, April 17, 1992).

##### **RECORD ACCESS PROCEDURES:**

See "Notification procedure" above.

##### **CONTESTING RECORD PROCEDURES:**

See "Notification procedure" above.

##### **RECORD SOURCE CATEGORIES:**

Sources of information are: Employers; educational institutions; police; government agencies; credit bureaus; references; neighborhood checks; confidential sources; medical sources; personal interviews; photographic images, military, financial, citizenship, birth and tax records; and the applicant's, employee's or contractor's personal history and application forms.

##### **EXEMPTIONS CLAIMED FOR THE SYSTEM:**

This system is exempt from 5 U.S.C. 552a(c)(3), (c)(4), (d)(1), (d)(2), (d)(3), (d)(4), (e)(1), (e)(2), (e)(3), (e)(4), (G), (H) and (I), (5) and (8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2), (k)(2) and (k)(5).

[FR Doc. 95-18346 Filed 5-25-95; 8:45 am]

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#### **Public Information Collection Requirements Submitted to OMB for Review**

July 18, 1995.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the